

**5753. Adulteration and misbranding of apple vinegar. U. S. \* \* \* v. 40 Barrels \* \* \* of \* \* \* Apple Vinegar. Default decree of condemnation, forfeiture, and sale. (F. & D. No. 8055. I. S. No. 11654-m. S. No. C-642.)**

On February 3, 1917, the United States attorney for the District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 40 barrels of so-called apple vinegar, consigned on December 5, 1916, remaining unsold in the original unbroken packages at South Bend, Ind., alleging that the article had been shipped by the Allegan Cider & Vinegar Co., Allegan, Mich., and transported from the State of Michigan into the State of Indiana, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Apple Vinegar. Made from apple cores and peelings reduced to 40 gr."

Adulteration of the article was alleged in the libel for the reason that it had mixed and packed with it distilled vinegar or a solution of dilute acetic acid which had been substituted in part for apple vinegar so as to reduce, lower, and injuriously affect its quality.

Misbranding of the article was alleged for the reason that it was an imitation of apple vinegar and was a product consisting in part of distilled vinegar or a solution of dilute acetic acid which had been substituted in part for apple vinegar, and it was offered for sale under the distinctive name of apple vinegar when, in fact, it was not, and for the further reason that it was labeled and branded so as to deceive and mislead the purchaser into the belief that it was apple vinegar, when, in fact, it was not.

On July 10, 1917, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be relabeled, "A compound of apple waste, vinegar, acetic acid, and water," and should be sold at public auction by the United States marshal.

**CARL VROOMAN, *Acting Secretary of Agriculture.***